

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION

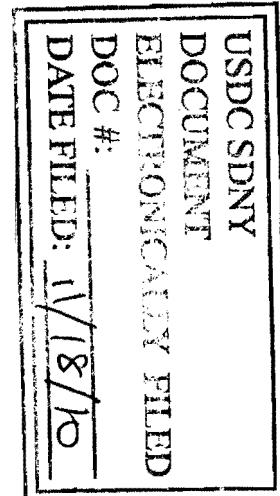
21 MC 102 (AKH)

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned, that with respect to the actions listed in "Schedule A" attached hereto, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, and based on the representation of the within Defendant, and to the extent Plaintiff(s) can so stipulate, that each claim, cross-claim and counter-claim asserted by and against Defendant Pinnacle Environmental Corp., only as to the claims being made as to the premises identified in the First Amended Master Complaint and individual check-off complaints as 140 West Street, New York, NY 10007, shall be and are hereby discontinued without prejudice and without costs as to any party against the other;

IT IS FURTHER STIPULATED AND AGREED that upon amending the Amended Master Complaint and Amended Form Check-Off Complaint, Plaintiffs will remove all references to Defendant Pinnacle Environmental Corp. with regard to 140 West Street, New York, NY 10007.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout this litigation which determines that claims can properly be brought against Defendant Pinnacle Environmental Corp. with respect to 140 West Street, New York, NY 10007 and that Defendant Pinnacle Environmental Corp. therefore is a proper entity to this suit, that Plaintiff(s) may



reinstitute the actions listed in "Schedule A" attached hereto; without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without notice with the Clerk of the Court.

Dated: New York, New York
November 10, 2010

GREGORY J. CANNATA & ASSOCIATES

By: 

Robert Grochow (RG1890)
The Woolworth Building
233 Broadway, 5th Floor
New York, NY 10279-0003
(212) 553-9205

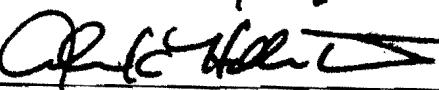
Dated: New York, New York
November 10, 2010

PATTON BOGGS LLP

By: 

JAMES E. TYRRELL, JR. (JT 6837)
1085 Avenue of the Americas
New York, NY 10036
(646) 557-5100

SO ORDERED: 11/17/10


HONORABLE ALVIN HELLERSTEIN
UNITED STATES DISTRICT COURT JUDGE
SOUTHERN DISTRICT OF NEW YORK

SCHEDULE A

Plaintiff	Case Number
Garner, Allen	10cv06861
Lelek, Antoni	10cv06862
Olanrewaju, Ayinde	10cv06867